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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,328	10/31/2003	Edward Alan Clark	LUC-434/Clark 11	9806
47382 7590 02/03/2009 PATTI, HEWITT & AREZINA LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602				
EXAMINER				
SHIN, KYUNG H				
ART UNIT		PAPER NUMBER		
2443				
MAIL DATE		DELIVERY MODE		
02/03/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/698,328

Applicant(s)

CLARK, EDWARD ALAN

Examiner

Kyung Hye Shin

Art Unit

2443

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-27 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This action is responding to application amendments filed on 10-22-2008. Claims 1 - 27 are pending. Claims 1, 17, 20 have been amended. Claims 26, 27 are new. Claims 1, 17, 20 are independent. This application was filed on 10-31-2003.

Response to Arguments

- 2 Applicant's arguments filed 10-22-2008 have been fully considered but they are moot due to new grounds of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 26, 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

There is no disclosure that the telephony device must *be limited to* a computer at the exclusion of other devices or *limited to* a web-enabled device at the exclusion of other devices. The specification discloses that the telephony device *can be a computer, a web-enabled device (such as a computer) or a telephone.*

Specification Page 4:

The telephony devices 105 and 110 in one example comprise one or more Customer Premise Equipments ("CPEs"), such as a **computer, a web-enabled device, and/or a telephone.**

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **1 - 6, 8 - 14, 17 - 23, 26, 27** are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Savage, III et al.** (US PG PUB No. **20010009014**) in view of **Laxman et al.** (US Patent No. **7,257,110**) and further in view of **Battle** (US Patent No. **6,081,592**) and **Brown et al.** (US PG PUB No. **20020080822**).

Regarding Claim 1, Savage discloses an apparatus, comprising:

one or more application server components that transmit one or more user inputs to one or more telephony devices on a call through employment of one or more data streams associated with the call; (Savage para 017, Il 1-6; multiple servers, multiple clients (i.e. telephony devices); para 108, Il 5-9: telephony devices (i.e. electronic transmission of voice, RTP); para 017, Il 8-14: client requests (i.e. user inputs); in response to a request from a client to join a first conference; para 019, Il 8-15; para 089, Il 1-6; para 052, Il 1-7: information regarding the other participants in conference are transmitted from server to each client; names of

participants displayed on each client's user interface; data transmissions (data streams) between multiple clients (i.e. telephony devices) and servers, conference communications)

wherein the one or more application server components establish the one or more data streams via employment of

- a) one or more data stream request messages (Savage para 017, II 8-14: client requests (i.e. user inputs); para 048, II 1-13; para 049, II 4-5: client contacts authentication server requesting to join conference; in response to setup call (request); server transmits a connect command to client)
- b) one or more identifiers which distinguish calls associated with one or more application server components (Savage para 091, II 6-15: each atom is also characterized by a priority and identifies the client of origin; stream, identifier: para 050, II 1-8: client sends join request to server with plurality of parameters; parameters may include: conference name, account number, user name, web host IP; identification information within setup parameters)

Savage discloses call control functionality. (Savage para 017, II 8-14: client requests (i.e. user inputs); para 048, II 1-13; para 049, II 4-5: in response to setup call (request)) Savage does not explicitly disclose communicating with other networks via call control protocols, and the call control protocol is a Bearer Independent Call Control (BICC) protocol.

However, Laxman discloses wherein the one or more application server components being in one or more networks that communicate with other networks via one or

more call control protocols, and at least one of the one or more call control protocols is a Bearer Independent Call Control (BICC) protocol. (Laxman col 5, ll 29-35: used different protocols; such as Bearer-Independent Call Control (BICC); col 5, ll 42-47: BICC is the protocol between switch to exchange information regarding call setup)

It would have been obvious to one of ordinary skill in the art to modify Savage for communicating with other networks via call control protocols, and the call control protocol is a Bearer Independent Call Control (BICC) protocol as taught by Laxman. One of ordinary skill in the art would have been motivated to employ the teachings of Laxman for a system that is fully scaleable and offers flexibility by supporting existing legacy systems and allowing the introduction of newer call feature services. (Laxman col 4, ll 36-41: “ ... *The open architecture is fully scaleable and offers flexibility by supporting existing legacy systems, while allowing the introduction of newer call feature services.* ... ”)

Savage-Laxman does not explicitly disclose selecting identifiers through employment of one or more methods. However, Battle discloses wherein select identifiers through employment of one or more methods. (Battle col 29, ll 55-57: random method (one method) used to select; call station (linked to identifier) selected from the list of eligible call stations; col 30, ll 2-7: random number is computed which ranges from 1 to number of call stations; call station at the position of random number becomes the one selected)

Savage-Laxman-Battle does not explicitly disclose such that at least one of the one

or more methods is a static selection method. However, Brown discloses wherein at least one of the one or more methods is a static selection method. (Brown para 029, ll 11-16: selecting an identifier via a selection algorithm, using an assigned session identifier and an application identifier; para 032, ll 1-4; para 033, ll 1-7: static selection algorithm)

It would have been obvious to one of ordinary skill in the art to modify Savage-Laxman for selecting the one or more identifiers through employment of one or more methods as taught by Battle, and to modify Savage-Laxman-Battle whereby at least one of the one or more methods is a static selection method as taught by Brown. One of ordinary skill in the art would have been motivated to employ the teachings of Battle in order for greater flexibility in structuring both regular and call-handling tasks to automatically direct call work to individuals (Battle col 3, ll 17-20: “... *Also present methods don't support the mixing of work types--regular work and call work--thereby foregoing the more extensive use of new call support technologies and the added variety and extra scope that could enrich jobs and lead to accompanying benefits from lower turnover and more enthusiastic work performances.* ...”), and to employ the teachings of Brown in order to carry on multiple distinct sessions with various applications by using session identifiers to link the messages and associate these messages with their proper application. (Brown para 012, ll 5-13: “... *The subject invention also permits an end-terminal, such as a mobile telephone or the like, to carry on multiple distinct sessions with various applications by using the relevant session identifier to link the messages together in a contextual manner and*”

associate these messages with their proper application. ...")

Regarding Claim 2, Savage discloses the apparatus of claim 1, wherein the one or more application server components (Savage Figure 1; para 017, II 1-6: server(s), facilitate communications between clients) cooperate with the one or more telephony devices to establish one or more web portals that are employable by the one or more telephony devices to initiate the one or more user inputs. (Savage para 011, II 4-9; para 005, II 1-5: a conferencing system is provided which is scaleable to any number of simultaneous users and which may be used by any number portals; web portals interface, para 023, II 1-6: a graphical user interface is transmitted to the first client via the network; user interface for client (i.e. user) inputs)

Regarding Claim 3, Savage discloses the apparatus of claim 2, wherein the one or more application server components (Savage Figure 1; para 017, II 1-6: server(s), facilitate communications between clients) employ the one or more web portals to receive the one or more user inputs from the one or more telephony devices. (Savage para 011, II 1-9; para 005, II 1-5: provides connections among the plurality of clients for transmission of data and thereby facilitates a conference including the clients; web portals, real-time communications between clients; para 019, II 8-15; para 089, II 4-6: user inputs transferred between clients (i.e. telephony devices))

Regarding Claim 4, Savage discloses the apparatus of claim 2, wherein the one or

more application server components (Savage Figure 1; para 017, II 1-6: server(s), facilitate communications between clients) associate the one or more web portals with the one or more data streams. (Savage para 011, II 1-9: a conferencing system is provided which is scaleable to any number of simultaneous users and which may be used by any number portals; web portal, real-time communications among multiple clients; para 019, II 8-15: server facilitates communication between a plurality of clients on a network; provides connections among the plurality of clients for transmission of data and thereby facilitates a conference including the clients; para 089, II 4-6: takes incoming data stream from clients and transmits outgoing data streams to clients; server(s) control communications (i.e. data streams) between clients)

Regarding Claim 5, Savage discloses the apparatus of claim 2, wherein the one or more application server components (Savage Figure 1; para 017, II 1-6: server(s), facilitate communications between clients) provide one or more interfaces through employment of the one or more web portals for employment by the one or more telephony devices to initiate the one or more user inputs. (Savage para 017, II 8-14; para 022, II 1-11: server is operable in response to a request from a client to facilitate the first conference or create first conference; setup of data streams between two clients)

Regarding Claim 6, Savage discloses the apparatus of claim 2, wherein the one or more application server components (Savage Figure 1; para 019, II 1-4: server(s),

facilitate communications between clients) employ an internet protocol to establish the one or more web portals. (Savage para 108, II 5-9; para 095, II 1-7: RTP, UDP/IP (i.e. Internet protocols) utilized; para 040, II 3-6: Internet communications between servers and clients)

Regarding Claim 8, Savage discloses the apparatus of claim 1, wherein the one or more application server components allow the one or more telephony devices to interact through employment of the one or more data streams. (Savage para 019, II 8-15; para 089, II 4-6: data streams (i.e. incoming and outgoing) utilized for communications between clients, controlled by servers)

Regarding Claim 9, Savage discloses the apparatus of claim 8,

- a) wherein the one or more application server components employ the one or more data streams to transfer data related to one or more interactions available to the one or more telephony devices; (Savage para 019, II 8-15; para 086, II 1-6: server(s) control communications between multiple clients (i.e. telephony devices)) and
- b) wherein the one or more application server components provide the one or more interactions to the one or more telephony devices for employment by the one or more telephony devices to interact with one or more of the one or more telephony devices. (Savage para 019, II 8-15; para 086, II 1-6: server(s) control the communications (i.e. interactions) between multiple clients (i.e. telephony

devices))

Regarding Claim 10, Savage discloses the apparatus of claim 9, wherein the one or more application server components associate the call with the one or more interactions available, and wherein the one or more application server components provide the one or more interactions available that allow the telephony devices to initiate the one or more user inputs from the one or more available interactions. (Savage para 022, II 1-11; para 020, II 8-16: server (i.e. dispatch server) initiates communications for clients (i.e. telephony device))

Regarding Claim 11, Savage discloses the apparatus of claim 8,

- a) wherein the one or more application server components comprise a first application server component and a second application server component, and wherein the one or more telephony devices comprise a first telephony device and a second telephony device; (Savage Figure 1; para 017, II 1-6: multiple server (i.e. application server), multiple clients (i.e. telephony devices)); and
- b) wherein the first application server component provides one or more interactions available to the first telephony device that allow the first telephony device to initiate a user input from the one or more interactions available; (Savage para 017, II 8-14; para 023, II 1-6: user interface to initiate communications, conference) and
- c) wherein in response to the user input from the first telephony device to the first

application server component, the first application server component transmits the user input to the second application server component through employment of the one or more data streams; (Savage para 019, II 8-15; para 089, II 4-6: data streams utilized for communications between clients (i.e. telephony devices)) and d) wherein the second application server component provides the user input to the second telephony device. (Savage para 019, II 8-15; para 089, II 1-6: server(s) control communications for clients (i.e. first, second telephony devices))

Regarding Claim 12, Savage discloses the apparatus of claim 11,

- a) wherein the user input comprises a first user input of the one or more user inputs, and wherein the second telephony device initiates a second user input to the first telephony device; (Savage para 019, II 8-15; para 089, II 1-8; para 052, II 1-7: first, second clients (i.e. first, second telephony devices) in communications, conference capability, multiple clients (i.e. telephony devices) in communications)
- b) wherein the first application server component and the second application server component cooperate to transmit the second user input to the first application server component through employment of the one or more data streams; (Savage para 048, II 3-6: dispatch server, media server communicate for authentication, authentication server validates request and transmits request to dispatch server; para 052, II 1-7: multiple clients (i.e. telephony devices) in communications)
- c) wherein the first application server component provides the second user input to

the first telephony device. (Savage para 019, II 8-15; para 089, II 1-6: data stream, input/response for clients (i.e. telephony devices), multiple clients (i.e. telephony devices) in communications)

Regarding Claim 13, Savage discloses the apparatus of claim 2,

- a) wherein the one or more user inputs comprise one or more sales interactions (Savage para 056, II 8-14: sales function interaction), wherein the one or more telephony devices comprise a first telephony device and a second telephony device; (Savage Figure 1; para 011, II 1-4: multiple clients (i.e. first, second telephony devices))
- b) wherein the one or more application server components provide the one or more sales interactions (Savage para 056, II 8-14: sales function interaction) that allow the first telephony device to initiate one or more of the one or more sales interactions to the second telephony device; (Savage para 019, II 8-15; para 089, II 4-6: information exchanged between multiple clients (i.e. first, second)) and
- c) wherein the one or more application server components cooperate to transmit the one or more of the one or more sales interactions (Savage para 056, II 8-14: sales function interaction) from the first telephony device to the second telephony device through employment of the one or more data streams. (Savage para 019, II 8-15; para 089, II 1-6: data streams (i.e. incoming, outgoing) transmit information between clients (i.e. telephony devices))

Regarding Claim 14, Savage discloses the apparatus of claim 13,

- a) wherein the one or more sales interactions (Savage para 056, II 8-14: sales function interaction) comprise a request for authorization, and wherein the one or more application server components provide the one or more sales interactions that allow the first telephony device to initiate the request for authorization to the second telephony device; (Savage para 048, II 1-13; para 073, II 1-9: authentication, validation request for client) and
- b) wherein in response to the request for authorization from the first telephony device to the first application server component, the first application server component transmits the request for authorization to the second application server component through employment of the one or more data streams; (Savage para 048, II 3-6: servers communicate for authentication, authentication server validates request and transmits request to dispatch server)
- c) wherein the second application server component provides the request for authorization to the second telephony device that allows the second telephony device to initiate a response to the request for authorization. (Savage para 048, II 1-13; para 073, II 1-9: authentication, validation request of clients (i.e. first, second telephony devices))

Regarding Claim 17, Savage discloses a method, comprising the step of:

- 1) transmitting one or more user inputs to one or more telephony devices on a call through employment of one or more data streams associated with the call.

(Savage para 017, II 1-6: multiple clients (i.e. telephony devices); para 019, II 8-15; para 089, II 4-6: data stream (i.e. user inputs/responses) transmitted between clients)

- 2) wherein the one or more application server components establish the one or more data streams via employment of
 - a) one or more data stream request messages (Savage para 017, lines 8-14: client requests (i.e. user inputs); para 048, II 1-13; para 049, II 4-5: in response to setup call (request))
 - b) one or more identifiers which distinguish calls associated with one or more application server components (Savage para 091, II 6-15: stream, identifier: para 050, II 1-8: as identifier within parameter)

Savage discloses call control functionality. (Savage para 017, II 8-14: client requests (i.e. user inputs); para 048, II 1-13; para 049, II 4-5: in response to setup call (request)) Savage does not explicitly disclose communicating with other networks via call control protocols, and the call control protocol is a Bearer Independent Call Control (BICC) protocol.

However, Laxman discloses wherein the one or more application server components being in one or more networks that communicate with other networks via one or more call control protocols, and at least one of the one or more call control protocols is a Bearer Independent Call Control (BICC) protocol. (Laxman col 5, II 29-35: used different protocols; such as Bearer-Independent Call Control (BICC); col 5, II 42-47: BICC is the protocol between switch to

exchange information regarding call setup)

It would have been obvious to one of ordinary skill in the art to modify Savage for communicating with other networks via call control protocols, and the call control protocol is a Bearer Independent Call Control (BICC) protocol as taught by Laxman. One of ordinary skill in the art would have been motivated to employ the teachings of Laxman for a system that is fully scaleable and offers flexibility by supporting existing legacy systems and allowing the introduction of newer call feature services. (Laxman col 4, ll 36-41)

Savage-Laxman does not explicitly disclose selecting identifiers through employment of one or more methods. However, Battle discloses wherein select the identifiers through employment of one or more methods. (Battle col 29, ll 55-57: random method (one method) is used to select; call station selected from the list of eligible call stations; col 30, ll 2-7: random number is computed which ranges from 1 to number of call stations; call station at the position of random number becomes the one selected)

Savage-Laxman-Battle does not explicitly disclose such that at least one of the one or more methods is a static selection method. However, Brown discloses wherein at least one of the one or more methods is a static selection method. (Brown para 029, ll 11-16: selecting an identifier via a selection algorithm, using an assigned session identifier and an application identifier; para 032, ll 1-4; para 033, ll 1-7: static selection algorithm)

It would have been obvious to one of ordinary skill in the art to modify Savage-Laxman for selecting identifiers through employment of one or more methods as taught by Battle, and to modify Savage-Laxman-Battle whereby at least one of the one or more methods is a static selection method as taught by Brown. One of ordinary skill in the art would have been motivated to employ the teachings of Battle in order for greater flexibility in structuring both regular and call-handling tasks to automatically direct call work to individuals (Battle col 3, ll 17-20), and to employ the teachings of Brown in order to employ the teachings of Brown in order to carry on multiple distinct sessions with various applications by using session identifiers to link the messages and associate these messages with their proper application (Brown para 012, ll 5-13).

Regarding Claim 18, Savage discloses the method of claim 17, wherein the step of transmitting the one or more user inputs the one or more telephony devices on the call through employment of the one or more data streams associated with the call comprises the steps of:

- a) establishing one or more web portals with the one or more telephony devices;
(Savage para 011, ll 1-9: web portal, communications with multiple clients (i.e. telephony devices))
- b) initiating the one or more user inputs through employment of the one or more web portals; (Savage para 011, ll 1-9: web portals, real-time communications between portal and clients (i.e. telephony devices); para 023, ll 1-6: user

interface, user inputs) and

- c) transmitting the one or more user inputs through employment of the one or more data streams. (Savage para 019, II 8-15; para 089, II 1-6: data stream transmissions for client (i.e. user) inputs/responses)

Regarding Claim 19, Savage discloses the method of claim 18, wherein the one or more telephony devices comprise a first telephony device and a second telephony device, and wherein the step of transmitting the one or more user inputs through employment of the one or more data streams comprises the steps of:

- a) associating the one or more web portals with the call; (Savage para 011, II 1-9: web portal; para 040, II 3-6: communications network; para 051, II 5-26: call setup/communications capabilities) and
- b) associating the one or more web portals with the one or more data streams. (Savage para 011, II 1-9: portals communications; para 089, II 4-6; para 019, II 8-15: data stream (i.e. incoming, outgoing), communications between clients (i.e. telephony devices))

Regarding Claim 20, Savage discloses a computer-readable medium having computer executable instructions for performing steps, comprising:

- 1) means in the one or more media for transmitting one or more user inputs to one or more telephony devices on a call through employment of one or more data streams associated with the call. (Savage para 131, II 1-8: software,

implementation means)

- 2) wherein the one or more application server components establish the one or more data streams via employment of
 - a) one or more data stream request messages (Savage para 017, II 8-14: client requests (i.e. user inputs); para 048, II 1-13; para 049, II 4-5: in response to setup call (request))
 - b) one or more identifiers which distinguish calls associated with one or more application server components (Savage para 091, II 6-15: stream, identifier: para 050, II 1-8: as identifier within parameter)

Savage discloses call control functionality. (Savage para 017, II 8-14: client requests (i.e. user inputs); para 048, II 1-13; para 049, II 4-5: in response to setup call (request)) Savage does not explicitly disclose communicating with other networks via call control protocols, and the call control protocol is a Bearer Independent Call Control (BICC) protocol.

However, Laxman discloses wherein the one or more application server components being in one or more networks that communicate with other networks via one or more call control protocols, and at least one of the one or more call control protocols is a Bearer Independent Call Control (BICC) protocol.

(Laxman col 5, II 29-35: used different protocols; such as Bearer-Independent Call Control (BICC); col 5, II 42-47: BICC is the protocol between switch to exchange information regarding call setup)

It would have been obvious to one of ordinary skill in the art to modify

Savage for communicating with other networks via call control protocols, and the call control protocol is a Bearer Independent Call Control (BICC) protocol as taught by Laxman. One of ordinary skill in the art would have been motivated to employ the teachings of Laxman for a system that is fully scaleable and offers flexibility by supporting existing legacy systems and allowing the introduction of newer call feature services. (Laxman col 4, ll 36-41)

Savage-Laxman does not explicitly disclose selecting identifiers through employment of one or more methods. However, Battle discloses wherein selecting identifiers through employment of one or more methods. (Battle col 29, ll 55-57: random method is used to select; call station selected from the list of eligible call stations; col 30, ll 2-7: random number is computed which ranges from 1 to number of call stations; call station at the position of random number becomes the one selected)

Savage-Laxman-Battle does not explicitly disclose such that at least one of the one or more methods is a static selection method. However, Brown discloses wherein at least one of the one or more methods is a static selection method. (Brown para 029, ll 11-16: selecting an identifier via a selection algorithm, using an assigned session identifier and an application identifier; para 032, ll 1-4; para 033, ll 1-7: static selection algorithm)

It would have been obvious to one of ordinary skill in the art to modify Savage-Laxman for selecting identifiers through employment of one or more

methods as taught by Battle, and to modify Savage-Laxman-Battle such that at least one of the methods is a static selection method as taught by Brown. One of ordinary skill in the art would have been motivated to employ the teachings of Battle in order for greater flexibility in structuring both regular and call-handling tasks to automatically direct call work to individuals (Battle col 3, ll 17-20), and to employ the teachings of Brown in order to employ the teachings of Brown in order to carry on multiple distinct sessions with various applications by using session identifiers to link the messages and associate these messages with their proper application (Brown para 012, ll 5-13).

Regarding Claim 21, Savage discloses the apparatus of claim 1, wherein the one or more identifiers comprise a network address, a port number, and an identification tag. (Savage para 050, ll 1-8: as identifier within parameter; para 094, 13-16: source ID (used to identify client))

Regarding Claim 22, Savage discloses the apparatus of claim 1 and application server components. Savage does not explicitly disclose selecting identifiers through employment of one or more methods. However, Battle discloses wherein selecting the identifiers through employment of one or more methods. (Battle Figure 1 (40): switch component; col 29, ll 55-57: random method is used to select; call station selected from the list of eligible call stations; col 30, ll 2-7: random number is computed which ranges from 1 to number of call stations; call station at the position of random number becomes

the one selected)

Savage-Battle does not explicitly disclose that at least one of the one or more methods is a static selection method. However, Brown discloses wherein at least one of the one or more methods is a static selection method. (Brown para 029, ll 11-16: selecting an identifier via a selection algorithm, using an assigned session identifier and an application identifier; para 032, ll 1-4; para 033, ll 1-7: static selection algorithm)

It would have been obvious to one of ordinary skill in the art to modify Savage for selecting identifiers through employment of one or more methods as taught by Battle, and to modify Savage-Battle such that at least one of the methods is a static selection method as taught by Brown. One of ordinary skill in the art would have been motivated to employ the teachings of Battle in order for greater flexibility in structuring both regular and call-handling tasks to automatically direct call work to individuals (Battle col 3, ll 17-20), and to employ the teachings of Brown in order to employ the teachings of Brown in order to carry on multiple distinct sessions with various applications by using session identifiers to link the messages and associate these messages with their proper application (Brown para 012, ll 5-13).

Regarding Claim 23, Savage discloses the apparatus of claim 1. (Savage para 017, ll 1-6; multiple servers, multiple clients (i.e. telephony devices); para 019, ll 8-15; para 089, ll 1-6; para 052, ll 1-7: data transmissions between multiple clients (i.e. telephony devices) utilizing servers, conference communications) Savage does not explicitly

disclose a selection using one of the one or more methods and a switch component. However, Battle discloses wherein a selection using one of the one or more methods. (Battle col 29, ll 55-57: random method (one method) used to select; call station selected from the list of eligible call stations; col 30, ll 2-7: random number is computed which ranges from 1 to number of call stations; call station at the position of random number becomes the one selected) And, Battle discloses wherein information provided by a switch component. (Battle col 7, ll 40-46: switch hardware, used in connecting calls; col 21, ll 1-4: call coupling and call processing control means in a switch)

It would have been obvious to one of ordinary skill in the art to modify Savage for a selection using one of the one or more methods and a switch component as taught by Battle. One of ordinary skill in the art would have been motivated to employ the teachings of Battle in order for greater flexibility in structuring both regular and call-handling tasks to automatically direct call work to individuals. (Battle col 3, ll 17-20)

Regarding Claim 26, Savage discloses the apparatus of claim 1, wherein the one or more telephony devices are limited to computers. (Savage para 129, ll 1-3: computer system which may be used to implement the various servers and clients described herein; specification discloses that telephony device can be a computer, web-enabled device (a computer also), or a telephone))

Regarding Claim 27, Savage discloses the apparatus of claim 1, wherein the one or more telephony devices are limited to web-enabled devices. (Savage para 129, ll 1-3:

computer system which may be used to implement the various servers and clients described herein; specification discloses that telephony device can be a computer, web-enabled device (a computer also), or a telephone))

7. Claims **7, 15, 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Savage-Laxman-Battle-Brown** and further in view of **Cloutier et al.** (US PGPUB No. **20040015405**).

Regarding Claim 7, Savage discloses the apparatus of claim 6, further comprising wherein the internet protocol, wherein the one or more application server components employ communications to establish the one or more web portals. (Savage para 040, II 3-6: Internet communications; para 011, II 4-9; para 005, II 1-5: web portals interface)

Savage does not explicitly disclose usage of HTTP communications protocol. However, Cloutier discloses:

- a) wherein the internet protocol comprises a HyperText Transport Protocol (HTTP); (Cloutier para 016, II 5-11: telephony services; para 058, II 5-12: web portal capabilities; para 055, II 5-9:, HTTP protocol, HTML language); and
- b) wherein employ the HyperText Transport Protocol (Cloutier para 016, II 5-11: telephony services; para 058, II 5-12: web portal capabilities; para 055, II 5-9:, HTTP protocol, HTML language)

It would have been obvious to one of ordinary skill in the art to modify Savage for usage of the HTTP protocol and HTML language as taught by Cloutier. One of ordinary skill in the art would have been motivated to employ the teachings of

Cloutier in order to enable a more efficient service provider selection process by providing a single interface to evaluate broadband service providers. (Cloutier para 092, II 10-16: “... *Current HFC open access systems do not allow for an end-user to select among multiple SPs via a single user interface. This invention improves the SP selection process, and thus contributes to more efficient service selection and activation by enabling the end-user to access a single interface, which can be used to evaluate and select a desired SP for broadband services. ...*”)

Regarding Claim 15, Savage discloses the apparatus of claim 2,

- a) wherein the one or more user inputs comprise one or more support interactions, and wherein the one or more telephony devices comprise a first telephony device and a second telephony device; (Savage para 017, II 1-6: multiple clients (i.e. first, second telephony devices); para 019, II 8-15; para 089, II 1-6: communications between clients (i.e. first, second telephony devices)) and
- b) wherein the one or more application server components provide the one or more support interactions that allow the first telephony device to initiate one or more of the one or more interactions to the second telephony device; (Savage para 019, II 8-15; para 089, II 1-6: communications between clients; para 052, II 1-7: multiple client communications, conference) and
- c) wherein the one or more application server components cooperate to transmit the one or more of the one or more interactions to the second telephony device through employment of the one or more data streams. (Savage para 019, II 8-15;

para 089, II 1-6: communications between clients; para 052, II 1-7: multiple client communications, conference)

Savage does not explicitly disclose one or more support interactions.

However, Cloutier discloses wherein one or more support interactions. (Cloutier para 016, II 5-11: telephony services; para 058, II 5-12: web portal capabilities; para 026, II 1-4; para 046, II 10-23: support services interactions)

It would have been obvious to one of ordinary skill in the art to modify Savage to utilize support interaction as taught by Cloutier. One of ordinary skill in the art would have been motivated to employ the teachings of Cloutier in order to enable a more efficient service provider selection process by providing a single interface to evaluate broadband service providers. (Cloutier para 092, II 10-16)

Regarding Claim 16, Savage discloses the apparatus of claim 15,

- a) wherein the one or more support interactions comprise a service, and wherein the one or more application server components provide the one or more interactions to allow a user of the first telephony device to initiate the service to the second telephony device; (Savage para 019, II 8-15; para 089, II 1-6: communications, interactions between first and second client (i.e. first, second telephony devices)) and
- b) wherein in response to the service from the first telephony device to the one or more application server components, the one or more application server components transmit the service to the second telephony device through

employment of the one or more data streams; (Savage para 019, II 8-15; para 089, II 1-6: communications, interactions between first and second client (i.e. first, second telephony devices)) and

- c) wherein the one or more application server components provide the service to the second telephony device that allows the first telephony device to interact with the second telephony device. (Savage para 019, II 8-15; para 089, II 1-6; para 052, II 1-7: communications, interaction between first and second client (i.e. first, second telephony devices))

Savage does not explicitly disclose diagnostic service interactions.

However, Cloutier discloses wherein diagnostic service. (Cloutier para 016, II 5-11: telephony services; para 058, II 5-12: web portal capabilities; para 047, II 4-10; para 062, II 1-9: maintenance (i.e. diagnostic) service interactions)

It would have been obvious to one of ordinary skill in the art to modify Savage to utilize diagnostic service interactions as taught by Cloutier. One of ordinary skill in the art would have been motivated to employ the teachings of Cloutier in order to enable a more efficient service provider selection process by providing a single interface to evaluate broadband service providers. (Cloutier para 092, II 10-16)

8. Claims **24, 25** are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Savage-Laxman-Battle-Brown** and further in view of **Strathmeyer et al.** (US Patent No. **7,372,957**).

Regarding Claim 24, Savage discloses the apparatus of claim 1 wherein one or more application server components. (Savage para 017, ll 1-6; multiple servers, multiple clients (i.e. telephony devices); para 019, ll 8-15; para 089, ll 1-6; para 052, ll 1-7: data transmissions between multiple clients (i.e. telephony devices) utilizing servers, conference communications) Savage does not explicitly disclose a Session Initiation Protocol (SIP) to communicate with switch components. However, Strathmeyer discloses wherein employing a Session Initiation Protocol (SIP) to communicate with switch components. (Strathmeyer col 8, ll 5-10: generate SIP invite messages or other call setup messages)

It would have been obvious to one of ordinary skill in the art to modify Savage for a Session Initiation Protocol (SIP) to communicate with switch components as taught by Strathmeyer. One of ordinary skill in the art would have been motivated to employ the teachings of Strathmeyer for greater flexibility of configuration, easier adjustment of operational characteristics, and technical familiarity with modular packet-switched networks, reduced costs, and usage of standards. (Strathmeyer col. 3, lines 15-20: “ ... *These advantages may include, for example, greater flexibility of configuration, easier adjustment of operational characteristics, technical familiarity to those skilled in the art of modular packet-switched networks, reduced cost due to the commodity nature of the modular components utilized, and use of standards. ...* ”)

Regarding Claim 25, Savage discloses the apparatus of claim 1 wherein the one or more application server components transfer data. (Savage para 017, ll 1-6; multiple

servers, multiple clients (i.e. telephony devices); para 019, ll 8-15; para 089, ll 1-6; para 052, ll 1-7: data transmissions between multiple clients (i.e. telephony devices) utilizing servers, conference communications) Savage does not explicitly disclose an extended Markup Language (XML) interface. However, Strathmeyer discloses wherein an extended Markup Language (XML) interface. (Strathmeyer col 4, ll 25-35: media processing instructions such as VoiceXML (XML interface for processing media); col 11, ll 41-52: XML based language used to create services that can be accessed over the phone (call processing))

It would have been obvious to one of ordinary skill in the art to modify Savage for an extended Markup Language (XML) interface as taught by Strathmeyer. One of ordinary skill in the art would have been motivated to employ the teachings of Strathmeyer for greater flexibility of configuration, easier adjustment of operational characteristics, and technical familiarity with modular packet-switched networks, reduced costs, and usage of standards. (Strathmeyer col. 3, lines 15-20)

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung Hye Shin whose telephone number is (571)272-3920. The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L. Dollinger can be reached on (571) 272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kyung Hye Shin
Examiner
Art Unit 2443

KHS
January 25, 2009

/Tonia LM Dollinger/

Supervisory Patent Examiner, Art Unit 2443